

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KANIE KASTROLL,

Plaintiff,

v.

WYNN RESORTS, LTD, d/b/a WYNN LAS
 VEGAS,

Defendants.

2:09-cv-02034-LDG-LRL

O R D E R

Before the court is the parties' Joint Proposed Discovery Schedule. (#48). Pursuant to this court's order (#46), the parties filed their Joint Proposed Discovery Schedule on October 24, 2011. However, as the parties were not in complete agreement, they stated their competing positions on the issues of scheduling expert reports and the possible need for air sampling in the event that the defendants' supplemental discovery responses are not sufficient to "allow plaintiff's expert to formulate an opinion." (#48). Upon review of the parties' proposed discovery schedule (#48) and the filings in this case, the court finds that the discovery schedule outlined below is appropriate.

Accordingly, and for good cause shown,

IT IS ORDERED that, pursuant to the proposed discovery schedule (#48);

1. **Supplemental responses to written discovery.** Wynn shall supplement its discovery responses in accordance with the Court's October 17, 2011, order. (#46). Specifically, Wynn shall supplement its responses to Interrogatories 3, 5, and 9 and Document Requests Nos. 8, 12, 14, 15, 20, and 21, in accordance with the order on or before December 16, 2011.
2. **Rule 30(b)(6) Depositions.** Following the supplementing of written discovery,

Wynn shall produce appropriate witnesses for the Rule 30(b)(6) deposition topics in accordance with the order (#46). Specifically, Wynn shall produce witnesses to testify as to topics Nos. 1, 2, 3, 5 and 7, as set forth in the order. In addition, Wynn shall be permitted to take the deposition of plaintiff. These depositions should conclude no later than February 6, 2012.

IT IS FURTHER ORDERED that the parties shall abide by the following discovery schedule:

1. Wynn's supplemental responses to written discovery are due on or before December 16, 2011.
2. Depositions of plaintiff and Wynn's Rule 30(b)(6) designees are to be completed by February 6, 2012.
3. Initial class expert reports are due March 7, 2012.
4. Rebuttal class expert reports are due April 6, 2012.
5. Close of class expert discovery on May 7, 2012.
6. Plaintiff's motion for class certification is due on June 6, 2012.

IT IS FURTHER ORDERED that, if after reviewing the supplemental written discovery responses provided by defendants, plaintiff's expert believes that the responses are insufficient to form an opinion and the air sampling suggested in the plaintiff's section of the discovery schedule (#48) is required, plaintiff may file a motion for such relief on or before February 20, 2012.

DATED this 25th day of October, 2011.



CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE